

REMARKS

Claims 1-41 are pending in the above identified application. The Examiner has “provisionally rejected [claims 1-41] under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 7-37 of copending Application No 09/965,242” in view of U.S. Patent No. 6,731,704 (“Kiyanagi”).

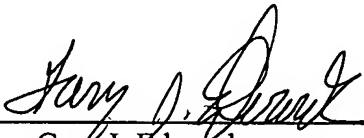
Without acquiescing or agreeing to any of the Examiner’s assertions, and solely for the purpose of furthering prosecution in this application, Applicants enclose herewith a Terminal Disclaimer for the above-cited copending application. Applicants respectfully request that the rejection be withdrawn.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: September 28, 2005

By: 
Gary J. Edwards
Reg. No. 41,008

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER L.L.P.
901 New York Avenue, N.W.
Washington, D.C. 20001-4413
(650) 849-6622

EXPRESS MAIL LABEL NO. EV 678998020 US

Attachment: Terminal Disclaimer